

Eastern Area Workforce Development Board
Workforce Innovation and Opportunity Act

POLICY 01-24
Stevens Act Amendment

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PURPOSE

The purpose of the Stevens Act Amendment policy is to ensure transparency and accountability over United States Department of Labor (USDOL) and Department of Health and Human Services (HHS) spending. The New Mexico Department Workforce Solutions (NMDWS) requires local boards to establish a policy to acknowledge federal funding when publicly discussing any projects or programs that the United States Department of Labor (USDOL) or the Department of Health and Human Services (HHS) funded through its annual appropriation. This policy is to clarify for Eastern Area Workforce Development Board (EAWDB) subrecipients and contractors the requirements and procedures for Stevens Act Amendment disclosures.

REFERENCE(S)

Public Law 115-31, Division H, Section 505

Public Law 116-260, Division H, Section 505

U.S. General Accounting Office (GAO) Report to Congress (March 2021)

NMDWS Policy Issuance 400-02

BACKGROUND

The Stevens Act Amendment is a federal requirement that requires U.S. Department of Labor (USDOL) and Health and Human Services (HHS) grant recipients to identify and reveal the percent of the costs financed with federal funds including the federal dollar amount and the percentage and dollar amount financed by non-federal government sources. The regulation was created with the intent to inform taxpayers of how much money comes from federal sources in any program, project, or grant activity.

ATTACHMENTS

Attachment I – Stevens Act Amendment Process

DEFINITIONS

Non-federal sources – means any funding source other than the federal government,

Other Documents – Includes:

- Blogs
- Brochures
- Email Blasts
- Manuals
- Outreach materials (posters, flyers)
- Promotional Materials
- Resource Guides
- Social Media Posts
- Documents that include statements about the program or project
- Toolkits
- Visual presentations (e.g. power point presentations)

POLICY

All USDOL and HHS federal grants administered by NMDWS or the EAWDB must include a funding statement on all public materials that communicate information regarding programs funded in whole or in part with federal funds including award announcements, requests for proposals (RFP), bid solicitations, presentations, website content, statements, press releases, marketing materials and other documents must include language in compliance with the Stevens Act Amendment.

The Stevens Act Amendment does not require disclosure for the following:

- The cost of creating or issuing documents subject to disclosure.
- Contracts executed by NMDWS or EAWDB.
- On every page of the document or website, at least one page must contain the disclosure statement.
- When it is not practical to put the Stevens Act Amendment disclosure statement within an electronic communication, a hyperlink to the statement is sufficient.
- Communications related to indirect funding (e.g., RFP for audit services).

Compliance is required for activities that directly support and further the goals of the federal award or grant. It is not required for activities covered through indirect costs. For materials funded by multi-year federal grants or awards, only the funding for the current program year must be disclosed.

When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with federal money, all grantees receiving federal funds included in the Steven Amendment Act, including NMDWS and its subrecipients, shall clearly state:

1. The percentage of the total costs of the program or project which will be financed with federal money.
2. The dollar amount of federal funds for the project or program.
3. The percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

The general structure can take this form:

This [project/publication/program/website, etc.] [is/was] supported by the [federal subagency] of the {federal agency} as part of an award totaling \$XX [insert total Notice of Award (NOA) amount here] with \$XX (XX%) financed from state, local, and/or non-federal government sources.

For example:

NMDWS Website – For federal grant funding disclosures visit: <https://www.dws.state.nm.us/funding>.

EAWDB federal grant funding disclosure – The Workforce Innovation and Opportunity Act (WIOA) Title I federal award is supported by the Employment and Training Administration (ETA) of the U.S. Department of Labor (USDOL). WIOA – Title I Program funds are sub-granted to Local Workforce Boards. A total of 100% of WIOA – Title I Program is financed with federal funds.

EAWDB bid solicitation or requests for proposal – “This Workforce Innovation and Opportunity Act bid solicitation (request for proposal) is supported by the Employment and Training Administration (ETA) of the U.S. Department of Labor (USDOL) as part of an award totaling \$5,000,000 with \$0 (0%) financed from non-federal sources.

PROCEDURES

The procedures for review and approval of subrecipient materials and activities that include any of the above referenced materials and documents are included as (Attachment I) to this policy.

COMPLIANCE

The EAWDB compliance monitoring plan consists of:

1. Providing copies of programmatic and fiscal monitoring reports as well as single audit reports to the grants compliance specialist to ensure compliance with Stevens Act Amendment requirements.
2. Require Stevens Act Amendment policies and procedures be posted on the EAWDB intranet and website and reviewed and updated at least annually.

Failure for EAWDB or its subrecipient(s) to comply with the Stevens Act Amendment requirement could be considered a breach of responsibility or contract non-compliance and may result in a corrective action plan; conditions placed on the award; or termination, suspension, or debarment of funds awarded.

All EAWDB employees and employees of any subrecipient must be aware, understand, and comply with the Stevens Act Amendment. The EAWDB program manager, program monitor, fiscal monitor, and managers of subrecipient contracts are the responsible officials for implementing and administering this policy.

ATTACHMENT I

STEVENS ACT AMENDMENT PROCESS

Procedure for Review and Approval of Subrecipient Materials and Activities under the Stevens Act Amendment

Objective:

Ensure that all materials and activities funded under the Stevens Act Amendment are properly reviewed and approved before dissemination or implementation, in compliance with federal regulations.

Submission by Subrecipient

Action: The subrecipient prepares and submits the materials or activity proposal.

Documentation: All materials or proposals must include detailed descriptions, budgets, and relevant supporting documents.

Submission Method: Materials should be submitted electronically to the One Stop Operator via email.

Timeline: Submissions should be made at least 30 days prior to the intended use or distribution of the materials.

Initial Review by One Stop Operator

Action: The One Stop Operator conducts an initial review of the submitted materials or activity proposal.

Focus Areas: The review should focus on compliance with the Stevens Act Amendment, alignment with program goals, and overall quality of the materials.

Feedback: The One Stop Operator provides feedback, requests revisions if necessary, and ensures that the materials meet the required standards.

Decision: If the materials are satisfactory, the One Stop Operator forwards them to the EAWDB Programs Manager for final approval.

Final Review and Approval by Eastern Area Workforce Development Board (EAWDB)

Action: The EAWDB Programs Manager conducts a final review of the materials or activity proposal.

Focus Areas: This review should ensure full compliance with the Stevens Act Amendment, confirm alignment with EAWDB policies, and validate any budgetary considerations.

Final Approval: If the materials meet all requirements, the Programs Manager grants final approval. Any revisions required must be communicated back to the One Stop Operator for further action.

Documentation: All approved materials should be documented and kept stored.

Communication and Implementation

Action: Upon approval, the EAWDB Programs Manager notifies the One Stop Operator and the subrecipient of the approval.

Implementation: The subrecipient may proceed with the distribution or implementation of the materials or activities as approved.

Ongoing Monitoring: The One Stop Operator and EAWDB Programs Manager will monitor the use and impact of the materials or activities to ensure compliance with the Stevens Act Amendment throughout the project lifecycle.

Record Keeping and Reporting

Action: All review and approval documents should be archived by the EAWDB for future reference and audit purposes.

Reporting: Any issues or changes from the approved materials or activities must be reported immediately to the EAWDB Programs Manager for corrective action.